## REMARKS/ARGUMENTS

The Applicant acknowledges, with thanks, the office action dated July 17, 2008. Examiner's withdrawal of the finality of the previous office action is noted with appreciation. Claims 1-29 and 31-32 are currently pending.

Applicant has amended claims 1, 8, 15, 16, 17, 22, 27, and 28, as descried herein, to help advance and expedite prosecution and to clarify the claims as distinguishable over the art of record. In general, the embodiments relate to methods and apparatus for accessing presence information. As an example for purposes of illustration, in a case where the presence server receives, from a subscriber, a subscription request for presence information having a relatively large number of subscribers, the presence server directs the content subscriber to a multicast transmission channel. The content subscriber, in turn, accesses the presence information via the multicast transmission channel rather than by a unicast transmission channel. By directing content subscribers toward the multicast transmission channel or away from the unicast transmission channel, the presence server may conserve connection resources associated with the presence system, thereby allowing the presence system to distribute presence information with a relatively high level of speed and efficiency. Furthermore, by directing content subscribers toward the multicast transmission channel or away from the unicast transmission channel, the presence server may minimize the costs associated with adding new subscribers to the presence system.

Support for the amended claims is found throughout the specification. Specifically and with reference to amended claim 1 as an example, receiving subscription request for the presence information from the content subscriber on a one-to-one transmission channel, is not new matter as it is disclosed on page 3, lines 3-17 of the original specification and shown at 34-1 in FIG. 1. Inserting an address within a notification message in response to receiving the subscription request, the address within the notification message directing the content subscriber to a one-to-many transmission channel to receive the presence information transmitted using the one-to-many transmission channel is not new matter as it is disclosed on page 4, lines 2-27, page 11, lines 8-18, and page 14, lines 6-24 of the original specification. Transmitting the notification message to the content subscriber using the one-to-one transmission channel, the address of the notification message allowing the content subscriber to subscribe to the presence information

using the one-to-many transmission channel is not new matter as it is disclosed on page 11, lines 15-17 and page 13, lines 24-29, of the original specification. Subscribing to the presence information in accordance with the notification message using the one-to-many transmission channel resulting in the content subscriber receiving the presence information from the computerized device by the one-to-many transmission channel is not new matter as it is disclosed on page 4, line 25 – page 6, line 5, page 10, lines 9-10, and page 14, lines 25-27, of the original specification and shown in FIG. 2.

Thus, it is respectfully submitted that the amendments to claims 1, 8, 15, 16, 17, 22, 27, and 28 do not constitute the addition of new matter.

Reconsideration of this application as amended is requested.

**Claim Rejections – 35 U.S.C §103(a)**

Claims 1, 3, 7-8, 10, 14-17, 22, 24, 26-28, and 30 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,463,471 to Dreke et al. (*hereinafter*, "Dreke") in view of U.S. Patent Publication No. 2003/0083046 to Mathis (*hereinafter*, "Mathis"). Among these, claims 1, 8, 15, 16, 17, 22, 27, and 28 are in independent form. Claims 2, 9, 18, and 23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Dreke and Mathis as applied to claims 1, 8, 17, and 22, and further in view of U.S. Patent Publication No. 2004/0098491 to Costa-Requena et al. (*hereinafter*, "Costa"). Claims 4 and 11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Dreke and Mathis as applied to claims 1 and 8, and further in view of U.S. Patent Publication No. 2003/0115283 to Barbir et al. (*hereinafter*, "Barbir"). Claims 5 and 12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Dreke, Mathis, and Barbir as applied to claims 5 and 11, and further in view of U.S. Patent Publication No. 2003/0217099 to Bobde et al. (*hereinafter*, "Bobde"). Claims 6, 13, 19, and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Dreke and Mathis as applied to claims 1, 8, 17, and 22, and further in view of U.S. Patent No. 6,813,501 to Kinnunen et al. (*hereinafter*, "Kinnunen"). Claim 29 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Dreke, Mathis, and Kinnunen as applied to claim 6, and further in view of Bobde and U.S. Patent Publication No. 2004/0158608 to Friedman (*hereinafter*, "Friedman"). Claims 31-32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Dreke and

Mathis as applied to claims 1 and 8, and further in view of U.S. Patent No. 6,122,372 to Hughes (*hereinafter*, "Hughes"). In view of the amendments and arguments set forth below, it is submitted that all pending claims are patentably distinct over the art of record.

As described in the specification, embodiments provide efficient accessing of presence information. In particular, such as at page 3, line 29 - page 4, line 16, a presence server may initially provide presence information to content subscribers via unicast transmission of the presence information. In a case where the presence server receives, from a subscriber, a subscription request for presence information having, for example, a relatively large number of subscribers, the presence server may direct the content subscriber to a multicast transmission channel. The content subscriber, in turn, accesses the presence information via the multicast transmission channel along with other content subscribers that also have requested to receive that presence information. By directing content subscribers toward the multicast transmission channel for receipt of the presence information, the presence server conserves connection resources associated with the presence system, thereby allowing the presence system to distribute presence information with a relatively high level of speed and efficiency. This is because the presence server only needs to transmit the current presence information concerning a subscriber onto the multicast transmission channel a single time and once each time there is a change in status of the presence information. Each content subscriber receives a copy of the presence information due to the nature of the multicasting. Furthermore, by directing content subscribers toward the multicast transmission channel, the presence server minimizes the costs associated with adding new subscribers to the presence system.

In the context of the above, independent claim 1 as amended above recites a method in a computerized device for allowing a content subscriber to access presence information. The method comprises receiving from the content subscriber on a one-to-one transmission channel, a subscription request for the presence information; inserting an address within a notification message in response to receiving the subscription request, the address within the notification message directing the content subscriber to a one-to-many transmission channel to receive the presence information transmitted using the one-to-many transmission channel; transmitting the notification message to the content subscriber using the one-to-one transmission channel, the address of the notification message allowing the content subscriber to subscribe to the presence

information using the one-to-many transmission channel; and, in accordance with the notification message, subscribing to the presence information using the one-to-many transmission channel resulting in the content subscriber receiving the presence information from the computerized device by the one-to-many transmission channel.

Each of the other independent claims, namely claims 8, 15, 16, 17, 22, and 27 have been similarly amended above.

In contrast, Dreke teaches a method for distributing and maintaining network presence information wherein, according to an embodiment, a user logs onto the Internet and transmits to an Internet Presence Information Server (IPIS) his/her presence information, a list of peers (individual network users) whose network presence are of interest to the user, and a request for a list of peers interested in the user's network presence. The IPIS then responds to the user with both a list including the last known Internet Protocol (IP) address for each peer the user is interested in and a list of peers interested in the user's Internet presence. No further communication between the user and IPIS is required after the IPIS responds to the user with these two lists. The user then attempts to directly contact the peers on the first list received from the IPIS by confirming and authenticating the received IP addresses. According to policy, the user directly contacts the peers on the second list received from the IPIS to inform those peers the user is currently signed on-line. Finally, the user periodically "pings" (directly contacts) the confirmed and authenticated IP addresses from the first list received from the IPIS to determine when those peers sign off-line.

There is no mention in Dreke of directing a content subscriber to by an address within a notification message to a one-to-many transmission channel to receive the presence information and subscribing to the presence information in accordance with the notification message resulting in the content subscriber receiving the presence information by the one-to-many transmission channel.

The Examiner cited Dreke as teaching a computerized device comprising at least one communication interface, a controller, an interconnection mechanism coupling the at least one communications interface and the controller. The Examiner took the position that the controller of Dreke is configured to receive, from the content subscriber, a subscription request for presence information, wherein the subscription request includes a subscription request of a

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current value of the presence information and a subscription request for changes in the current value of the presence information; insert an address within a notification message in response to receiving the subscription request, the address information; and transmit the notification message to the content subscriber, the address of the notification message allowing the content subscriber to subscribe to the presence information resulting in the content subscriber receiving a current value of the presence information and changes in the current value of the presence information form the computerized device.

With regard to the above, the Examiner conceded that Dreke "did not specifically teach that the address is related to presence information transmitted using a one-to-many transmission channel." Applicants agree that Dreke lacks a teaching that the address is related to presence information transmitted using a one-to-many transmission channel.

Applicants further respectfully submit that there is no teaching or suggestion in Dreke of inserting an address within a notification message in response to receiving the subscription request, the address within the notification message directing the content subscriber to a one-to-many transmission channel to receive the presence information transmitted using the one-to-many transmission channel. There is no teaching of transmitting the notification message to the content subscriber using the one-to-one transmission channel, the address of the notification message allowing the content subscriber to subscribe to the presence information using the one-to-many transmission channel. And there is no teaching of subscribing to the presence information using the one-to-many transmission channel in accordance with the notification message resulting in the content subscriber receiving the presence information from the computerized device by the one-to-many transmission channel.

The aforementioned deficiencies in Dreke are not remedied by any teaching of Mathis. The Examiner took the position in the Office Action that Mathis taught inserting a multicast message within a message wherein the address is related to the presence information and to allow the content subscriber to subscribe to the presence information using a one-to-many transmission channel. To the Examiner, it would have been obvious to combine the teachings of Dreke and Mathis because, according to the Examiner, "Mathis' teaching of multicasting presence information to a plurality of devices enables Dreke's system to effectively update and distribute presence information about members of a contact list in a wireless network."

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First, Mathis makes no distinction or mention of one-to-one transmission channels or of directing a content subscriber to a one-to-many transmission channel to receive presence information by an address within the notification message directing the content subscriber to receive the presence information using the one-to-many channel. Mathis makes no distinction or mention of transmitting the notification message to the content subscriber using a one-to-one transmission channel or of subscribing to the presence information using the one-to-many channel in accordance with the notification message. Simply, Mathis is a straightforward system for simple multicast distribution of presence information to a plurality of communication devices such as described at [0005].

Also, it is respectfully submitted that the combination suggested by the Examiner is improper. The address(es) referred to by the Examiner in relation to Dreke are individual IP addresses of Peer B and Peer C whereby Peer A may validate the IP addresses by attempting to directly contact Peer B and Peer C via the Internet without utilizing the Internet Presence Information Server (IPIS). This is described at col. 4, lines 8-21. Thus, it is improper to provide a multicast address within the messages to Peer A whereby Peer A may directly contact Peer B and/or Peer C Peer B. The address suggested at col. 4, line 11 of Dreke is clearly for one-to-one communication and a multicast address is intended and is not technically feasible.

In accordance with the afore-noted amendments and comments, it is submitted that each of independent claims 1, 8, 15, 16, 17, 22, 27, and 28 as amended above are patentably distinct over the art, and in condition for allowance thereover. Claims 2-7, 29, and 31 depend from independent claim 1. Claims 9-14 and 32 depend from independent claim 8. Claims 18-21 depend from independent claim 17. Claims 23-26 depend from independent claim 22.
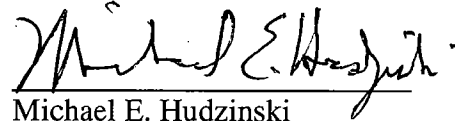
Allowance of all claims and an early notice to that effect is respectfully requested.

If there are any fees necessitated by the foregoing communication, the Commissioner is hereby authorized to charge such fees to our Deposit Account No. 50-0902, referencing our Docket No. 72255/00506.

Respectfully submitted,

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